Equality of Opportunity and Freedom from Discrimination

MHR Connections

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THE MANITOBA HUMAN RIGHTS COMMISSION

LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

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Greeting teachers with a smile and a challenge

Co-chairs of the Manitoba Human Rights Commission's Youth Conferences, Pam Roberts (left) and Lorraine Lambert promoted the 2013 Action Changes Everything Human Rights Youth Conferences (featuring Dr. Samantha Nutt of War Child and R&B singer Flo) at the Manitoba Social Science Teachers Association Meeting earlier this month. While there they challenged teachers to a human rights game with questions ranging from "your choice" to "ridiculously hard." They also spoke about human rights rallies at various northern schools.

Do you know someone who deserves of a human rights award?

The Manitoba Human Rights Commission and its partners, the Canadian Human Rights Commission and the Manitoba Association for Rights and Liberties would like your input on what groups or individuals should be considered for special recognition for their work in advancing the human rights of Manitobans.

We are also looking for young people (25 and under) who have promoted respect for human rights and fundamental freedoms, here and abroad.

At a reception on December 6, 2012 we will be honouring the recipients of the Human Rights Commitment Award of Manitoba and the Sybil Shack Human Rights Youth Award. At this time we will also celebrate International human Rights Day and commemorate the National Day of Remembrance and Action on Violence Against Women.

Please let us know of anyone we should consider. All that is required is a contact person, the name of the potential recipient, and a brief reason why this group or person should be considered.

An independent panel will review all the suggestions and you will be informed as to their final decisions. Please send this information to hrc@gov.mb.ca by November 7, 2012.

The Rights Connections
by Jerry Woods - Chairperson

Ontario is the first jurisdiction in Canada to allow transgendered people to change the gender on their birth certificates without sexual change surgery. The new rule means that a transgendered person can get a new birth certificate with only a letter from a physician or psychologist. In the past, proof of "transsexual surgery" was required according to Ontario's Vital Statistics Act.

These changes come about after a ruling in April 2012 from the Ontario Human Rights Tribunal which found that legislation requiring a person to have "transsexual surgery" before they can change the sex designation on their birth registration is discriminatory. The ruling said that requiring surgery adds to the disadvantage and stigma experienced by members of the community, and reinforces the stereotype that transgender persons must have surgery in order to live in their felt gender.

In the decision, Sheri Price wrote that the old rule "perpetuates stereotypes about transgendered persons and their need to have surgery in order to live with their gender identity." It also found that the goals of the Vital Statistics Act (VSA) would not be harmed by removing this requirement.

The tribunal gave the government 180 days to "revise the criteria for changing sex designation on a birth registration, . . so as to remove the discriminatory effect of the current system on transgendered persons". The changes took effect 176 days later.

The term 'transgender' refers to people whose sense of self, particularly their sense of being male or female, is different than social expectations based on their birth-assigned sex. It includes transsexuals, cross-dressers, intersex individuals and other people.

This is an important victory and I am pleased to inform you that, after a similar complaint filed with the Manitoba Human Rights Commission, changes are now underway in this province as well. The Manitoba Human Rights Commission and Vital Statistics are working together to discuss changing the law, which would allow people to change their sex on their birth certificates without sex-change surgery.

When did women really become persons?

It is hard to believe that although many Canadian women had the right to vote and run for political office, until 1929 they were not considered "persons".

The Persons Day story begins with Emily Murphy, who was a magistrate and the preferred Senate candidate of national women's groups. Her appointment however, was challenged on the grounds that she was not a "person" under the BNA Act. Along with four other prominent women activists - Nellie McClung, Louise McKinney, Irene Parlby, and Henrietta Muir Edwards (later known as the Famous Five), Judge Murphy persuaded the government to direct the Supreme Court of Canada to rule on whether women were indeed "persons." The court ruled that women were not persons, but on October 18, 1929, eight years after the campaign began, the Judicial Committee of the Privy Council in England, which at that time was the appeals court for the Canadian Supreme Court, ruled in the women's favour.

Although none of the Famous Five was appointed to the Senate, four months after the ruling on the Person's Day Case, Cairine Reay Mackay Wilson (pictured beside Famous Five) was appointed Canada's first woman Senator. She was named to the position by Prime Minister Mackenzie King.

Women of the sixties were not always considered persons either...at least not when it came to running the Boston Marathon. In 1967, Kathrine Switzer was the first woman to "officially" run the Boston Marathon, having registered under the name K.V. Switzer. She was not trying to mislead officials. She had long used K.V. Switzer on articles she wrote for her college paper. After realizing that a woman was running, race organizer Jock Semple went after Switzer shouting, "Get the hell out of my race and give me those numbers." However, Switzer's boyfriend and other male runners provided a protective shield during the entire marathon.The photographs taken of the incident made world headlines.

There is little doubt that this photo truly demonstrates the saying that a picture is worth a thousand words.

By the eighties Canadian women were certainly persons, but perhaps at times, not very respected ones. On May 12, 1982, NDP MLA Margaret Mitchell rose in the House of Commons to raise the need for government action referring to a parliamentary report on battered wives. The report stated that one in 10 Canadian husbands beat their wives regularly. Before she could continue, male shouts and laughter erupted. The outcry from Canadian women over the incident brought national attention to the issue of violence against women.

Celebrating Persons Day in 2012 is about achievement, and many young women today should be recognized for their commitment to the rights of everyone. Shannen Koostachin is a prime example of a modern day young woman, whose leadership made a difference across Canada.

This courageous, passionate young woman had a dream. That dream was to have a school built in her community of Attawapiskat. Eventually the dream encompassed all First Nations children across Canada many of whom she said needed decent schools and the kind of education that makes them proud.

"All students in Canada deserve a learning environment that they are proud to attend, and that gives them hope. We want the same hope as every other Canadian student."

Shannen Koostachin

In 2007 this modern day young activist began her "Shannen's Dream" campaign using tools like Facebook and Youtube to deliver her message that First Nations children, and all children, deserve equal, quality education. This human rights campaign spread across the country, and within months her plea for equal education inspired thousands across the country.

In May of 2010, Shannen Koostachin died in a tragic automobile accident. Her family and friends and the many people she touched resulted in "Shannen's Dream" continuing to grow. Her leadership was remarkable and Shannen was nominated as an ambassador for all the children of Attawapiskat, for the International Children's Peace Prize given out by the Nobel Laureates.

On March 2, 2012, The Attawapiskat First Nation issued a letter of intent to a construction company indicating its intention to hire the contractor to construct the new school.